INDEX—VOLUME 36

ARTICLES INDEX

Volume 36

AD VALOREM ASSESSMENTS IN FLORIDA—RECENT DEVELOPMENTS: *James S. Wershow and Edward S. Schwartz* 67

AMERICA'S INCOHERENT IMMIGRATION POLICY: SOME PROBLEMS AND SOLUTIONS: *James J. Orlow* 933

THE ANTITRUST IMPLICATIONS OF THE DENIAL OF HOSPITAL STAFF PRIVILEGES: *William R. Drexel* 207

A CRITICAL ANALYSIS OF REFUGEE LAW: *Ira J. Kurzban* 865

COMMENTS AND RECOMMENDATIONS ON PROPOSED REFORM TO UNITED STATES IMMIGRATION POLICY: *Michael H. Posner* 883

GUIDELINES FOR THE REFORM OF IMMIGRATION POLICY: *Barry R. Chiswick* 893

IMMIGRATION LAW AND THE ILLUSION OF NUMERICAL CONTROL: *John A. Scanlan* 819

THE IMMIGRATION PROGRAM OF THE REAGAN ADMINISTRATION: *Rudolph W. Giuliani* ... 807

AN IMPLIED RIGHT OF ACTION UNDER SECTION 17(a): THE SUPREME COURT HAS SAID "NO," BUT IS ANYBODY LISTENING?: *Dennis Scholl and Ronald K. Perkowski* ... 41

INCOME TAX CONSIDERATIONS IN FLORIDA PERSONAL INJURY ACTIONS: *Raymond T. Elligett, Jr.* 643

JOHN CHIPMAN GRAY, LEGAL FORMALISM, AND THE TRANSFORMATION OF PERPETUITIES LAW: *Stephan A. Siegel* 439

LAWYER DECISIONMAKING AND THRESHOLD ANALYSIS: *Stuart S. Nagel* 615

THE LIKELY SOURCE: AN UNEXPLORED WEAKNESS IN THE NET WORTH METHOD OF PROOF: *Ian M. Comisky* 1

ONE STATE'S REACTION TO REGANOMICS: THE 1982 AMENDMENTS TO THE FLORIDA INCOME TAX CODE: *Tax Section of the Florida Bar* 661

PHENOMENOLOGY, STRUCTURALISM, HERMENEUTICS, AND LEGAL STUDY: APPLICATIONS OF CONTEMPORARY CONTINENTAL THOUGHT TO LEGAL PHENOMENA: *Donald H.J. Hermann* 379

A REEXAMINATION OF THE AGENCY DOCTRINE OF ELECTION: *Mark A. Sargent and Arnold Rochvarg* 411

REVENUE RULING 79-292 AND DEFERRED REPORTING: *Richard L. Meives* 175

SAFE PORT AND BERTH PROVISIONS IN TIME CHARTER AGREEMENTS: APPORTIONING LIABILITY TO DETER ACCIDENTS AND MINIMIZE COSTS: *Steven M. Rubin* 465

AUTHORS INDEX
Volume 36

CHISWICK, BARRY R.: *Guidelines for the Reform of Immigration Policy* 893
COMISKY, IAN M.: *The Likely Source: An Unexplored Weakness in the Net Worth Method of Proof* 1
DREXEL, WILLIAM R.: *The Antitrust Implications of the Denial of Hospital Staff Privileges* 207
ELLIGETT, RAYMOND T., JR.: *Income Tax Considerations in Florida Personal Injury Actions* 643
GIULIANI, RUDOLPH W.: *The Immigration Program of the Reagan Administration* 807
HERMANN, DONALD H.J.: *Phenomenology, Structuralism, Hermeneutics, and Legal Study: Applications of Contemporary Continental Though to Legal Phenomena* 379
KURZBAN, IRA J.: *A Critical Analysis of Refugee Law* 865
MEIVES, RICHARD L.: *Revenue Ruling 79-292 and Defered Reporting* 175
NAGEL, STUART S.: *Lawyer Decisionmaking and Threshold Analysis* 615
ORLOW, JAMES J.: *America's Incoherent Immigration Policy: Some Problems and Solutions* 933
PERKOWSKI, RONALD K.: *An Implied Right of Action Under Section 17(a): The Supreme Court Has Said "No," But Is Anybody Listening?* 41
POSNER, MICHAEL H.: *Comments and Recommendations on Proposed Reforms to United States Immigration Policy* 883
ROCHVARG, ARNOLD: *A Reexamination of the Agency Doctrine of Election* 411
RUBIN, STEVEN M.: *Safe Port and Berth Provisions in Time Charter Agreements: Apportioning Liability to Deter Accidents and Minimize Costs* 465
SARGENT, MARK A.: *A Reexamination of the Agency Doctrine of Election* 411
SCANLAN, JOHN A.: *Immigration Law and the Illusion of Numerical Control* 819
SCHOLL, DENNIS: *An Implied Right of Action Under Section 17(a): The Supreme Court Has Said "No," But Is Anybody Listening?* 41
SCHWARTZ, EDWARD S.: *Ad Valorem Assessments in Florida—Recent Developments* 67
SIEGEL, STEPHEN A.: *John Chipman Gray, Legal Formalism, and the Transformation of Perpetuities Law* 439
TAX SECTION OF THE FLORIDA BAR: *One State's Reaction to Reaganomics: The 1982 Amendments to the Florida Income Tax Code* 661
WERSHOW, JAMES S.: *Ad Valorem Assessments in Florida—Recent Developments* 67

STUDENT WORKS INDEX
Volume 36

COMMENTS

Agent Orange AND THE GOVERNMENT CONTRACT DEFENSE: ARE MILITARY MANUFACTURERS IMMUNE FROM PRODUCTS LIABILITY? *William J. Blechman* 489
DRUG TRAFFICKING AT AIRPORTS—THE JUDICIAL RESPONSE: *Kathleen Mahoney* 91
THE DUTY TO DEFEND CLAUSE IN A LIABILITY INSURANCE POLICY: SHOULD THE EXCLUSIVE PLEADING TEST BE REPLACED? *David S. Garbett* 235
JOINT REGISTRATION OF TRADEMARKS AND THE ECONOMIC VALUE OF A TRADEMARK SYSTEM: *Patricia K. Fletcher* 297
THE TAX BENEFIT RULE: RECOVERY REEVALUATED: *Paul T. Kestenbaum* 533
VESTED SENIORITY RIGHTS: A CONCEPTUAL APPROACH: *Francis A. Citera* 751
THE WARRANT REQUIREMENT FOR CONTAINER SEARCHES AND THE "WELL-DELINEATED" EXCEPTIONS: THE NEW "BRIGHT LINE" RULES: *Robert A. Wainger* 115
WOMEN'S RIGHTS AND THE PROPOSED FAMILY PROTECTION ACT: *Karen Flax* 141

CASE COMMENTS

THE DEATH OF A PRINCESS CASES: TELEVISION PROGRAMMING BY STATE-OWNED PUBLIC BROADCASTERS AND VIEWERS' FIRST AMENDMENT RIGHTS: *Jonathan Goodman* 779
GETTING BACK IN: THE *Plasencia* DECISION AND THE PERMANENT RESIDENT ALIEN'S RIGHT TO PROCEDURAL DUE PROCESS: *Gerald M. Kouri, Jr.* 971
Jean v. Nelson: A STARK PATTERN OF DISCRIMINATION: *Steven Kass and Jeffrey Gilbert* 1007
LEGISLATIVE REGULATION OF CAMPAIGN FINANCING AFTER *Citizens Against Rent Control v. City of Berkeley:* A REQUIEM: *Ira E. Hoffman* 563
WHISTLE BLOWING AS A RULE 10b-5 VIOLATION: *Dirks v. SEC: Wendy Ehrenkranz* 989

CASENOTES

IN DEFENSE OF PUBLIC DEFENDERS: *Polk County v. Dodson* 599
Lassiter v. Department of Social Services: THE RIGHT TO COUNSEL IN PARENTAL TERMINATION PROCEEDINGS 337
Tufts v. Commissioner: REOPENING THE PANDORA'S BOX OF *Crane's* FOOTNOTE 37 352
UNEMPLOYMENT BENEFITS AND THE RELIGION CLAUSES: A RECURRING CONFLICT 585

BRIEF NOTES

QUORUM REQUIREMENTS FOR SHAREHOLDERS' MEETINGS UNDER FLORIDA STATUTES SECTION 607.094 165
Santosky v. Kramer: CLEAR AND CONVINCING EVIDENCE IN ACTIONS TO TERMINATE PARENTAL RIGHTS 369

SUBJECT INDEX
Volume 36

AGENCY

A Reexamination of the Agency Doctrine of Election 411

ANTITRUST LAW

The Antitrust Implications of the Denial of Hospital Staff Privileges 207

ATTORNEYS

Lawyer Decisionmaking and Threshold Analysis 615

CIVIL PROCEDURE

The Duty to Defend Clause in a Liability Insurance Policy: Should the Exclusive Pleading Test Be Replaced? 235

Income Tax Considerations in Florida Personal Injury Actions 643

CIVIL RIGHTS

In Defense of Public Defenders: Polk County v. Dodson 599

Women's Rights and the Proposed Family Protection Act 141

COMMERCIAL LAW

Safe Port and Berth Provisions in Time Charter Agreements: Apportioning Liability to Defer Accidents and Minimize Costs 465

CONSTITUTIONAL LAW

The Death of a Princess Cases: Television Programming by State-Owned Public Broadcasters and Viewers' First Amendment Rights 779

In Defense of Public Defenders: Polk County v. Dodson 599

Lassiter v. Department of Social Services: The Right to Counsel in Parental Termination Proceedings 337

Legislative Regulation of Campaign Financing After Citizens Against Rent Control v. City of Berkeley: A Requiem 563

Santosky v. Kramer: Clear and Convincing Evidence in Actions to Terminate Parental Rights 369

Unemployment Benefits and the Religion Clauses: A Recurring Conflict 585

The Warrant Requirement for Container Searches and the "Well-Delineated" Exceptions: The New "Bright Line" Rules ... 115

Women's Rights and the Proposed Family Protection Act 141

CORPORATIONS

Quorum Requirements for Shareholders' Meetings Under Florida Statutes Section 607.094 165

COURTS

An Implied Right of Action Under Section 17(a): The Supreme Court Has Said "No," But Is Anybody Listening? 41

CRIMINAL LAW

Drug Trafficking at Airports—The Judicial Response 91

The Likely Source: An Unexplored Weakness in the Net Worth Method of Proof 1

The Warrant Requirement for Container Searches and the "Well-Delineated" Exceptions: The New "Bright Line" Rules ... 115

EVIDENCE

Drug Trafficking at Airpots—The Judicial Response 91

Income Tax Considerations in Florida Personal Injury Actions 643

Santosky v. Kramer: Clear and Convincing Evidence in Actions to Terminate Parental Rights 369

The Warrant Requirement for Container Searches and the "Well-Delineated" Exceptions: The New "Bright Line" Rules ... 115

FAMILY LAW

Lassiter v. Department of Social Services: The Right to Counsel in Parental Termination Proceedings 337

Santosky v. Kramer: Clear and Convincing Evidence in Actions to Terminate Parental Rights 369

Women's Rights and the Proposed Family Protect Act 141

IMMIGRATION
THE IMMIGRATION PROGRAM OF THE REAGAN ADMINISTRATION 807
IMMIGRATION LAW AND THE ILLUSION OF NUMERICAL CONTROL 819
A CRITICAL ANALYSIS OF REFUGEE LAW 865
COMMENTS AND RECOMMENDATIONS ON PROPOSED REFORMS TO UNITED STATES IMMIGRATION POLICY 883
GUIDELINES FOR THE REFORM OF IMMIGRATION POLICY 893
AMERICA'S INCOHERENT IMMIGRATION POLICY: SOME PROBLEMS AND SOLUTIONS 933
PANEL DISCUSSION 941
GETTING BACK IN: THE PLASENCIA DECISION AND THE PERMANENT RESIDENT ALIEN'S RIGHT TO PROCEDURAL DUE PROCESS 971
JEAN V. NELSON: A STARK PATTERN OF DISCRIMINATION 1007

INSURANCE
THE DUTY FO DEFEND CLAUSE IN A LIABILITY INSURANCE POLICY: SHOULD THE EXCLUSIVE PLEADING TEST BE REPLACED? 235

LEGAL REASONING
JOHN CHIPMAN GRAY, LEGAL FORMALISM, AND THE TRANSFORMATION OF PERPETUITIES LAW 439
PHENOMENOLOGY, STRUCTURALISM, HERMENEUTICS, AND LEGAL STUDY: APPLICATIONS OF CONTEMPORARY CONTINENTAL THOUGHT TO LEGAL PHENOMENA 379

MARITIME LAW
SAFE PORT AND BERTH PROVISIONS IN TIME CHARTER AGREEMENTS: APPORTIONING LIABILITY TO DETER ACCIDENTS AND MINIMIZE COSTS 465

PHILOSOPHY
VESTED SENIORITY RIGHTS: A CONCEPTUAL APPROACH 751

PRODUCTS LIABILITY
AGENT ORANGE AND THE GOVERNMENT CONTRACT DEFENSE: ARE MILITARY MANUFACTURERS IMMUNE FROM PRODUCTS LIABILITY? 489

PROPERTY
VESTED SENIORITY RIGHTS: A CONCEPTUAL APPROACH 751

PROPERTY TAXES
AD VALOREM ASSESSMENTS IN FLORIDA—RECENT DEVELOPMENTS 67

REAL PROPERTY
JOHN CHIPMAN GRAY, LEGAL FORMALISM, AND THE TRANSFORMATION OF PERPETUITIES LAW 439

RELIGION
UNEMPLOYMENT BENEFITS AND THE RELIGION CLAUSES: A RECURRING CONFLICT 585

SEARCH AND SEIZURE
DRUG TRAFFICKING AT AIRPORTS—THE JUDICIAL RESPONSE 91
THE WARRANT REQUIREMENT FOR CONTAINER SEARCHES AND THE "WELL-DELINEATED" EXCEPTIONS: THE NEW "BRIGHT LINE" RULES ... 115

SECURITIES
AN IMPLIED RIGHT OF ACTION UNDER SECTION 17(a): THE SUPREME COURT HAS SAID "NO," BUT IS ANYBODY LISTENING? 41
WHISTLE BLOWING AS A RULE 10b-5 VIOLATION: DIRKS V. SEC 989

SURVEYS OF LAWS AND DECISIONS
AGENCY: A REEXAMINATION OF THE AGENCY DOCTRINE OF ELECTION 411
LEGISLATIVE REGULATION OF CAMPAIGN FINANCING AFTER CITIZENS AGAINST RENT CONTROL V. CITY OF BERKELEY: A REQUIEM 563

TAXATION
AD VALOREM ASSESSMENTS IN FLORIDA—RECENT DEVELOPMENTS 67
THE LIKELY SOURCE: AN UNEXPLORED WEAKNESS IN THE NET WORTH METHOD OF PROOF 1
ONE STATE'S REACTION TO REAGANOMICS: THE 1982 AMENDMENTS TO THE FLORIDA INCOME TAX CODE 661
REVENUE RULING 79-292 AND DEFERRED REPORTING 175
THE TAX BENEFIT RULE: RECOVERY REEVALUATED 533
TUFTS V. COMMISSIONER: REOPENING THE PANDORA'S BOX OF CRANE'S FOOTNOTE 37 352

TORTS

AGENT ORANGE AND THE GOVERNMENT CONTRACT DEFENSE: ARE MILITARY MANUFACTURES IMMUNE FROM PRODUCTS LIABILITY? 489

TRADEMARKS AND TRADE NAMES

JOINT REGISTRTION OF TRADEMARKS AND THE ECONOMIC VALUE OF A TRADEMARK SYSTEM 297

UNEMPLOYMENT

UNEMPLOYMENT BENEFITS AND THE RELIGION CLAUSES: A RECURRING CONFLICT 585

VESTED SENIORITY RIGHTS: A CONCEPTUAL APPROACH 751